



June 23, 2016

Via Electronic Filing

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

*Re: Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band, ET Docket No. 13-49*

Dear Ms. Dortch:

On behalf of ITI and our member companies<sup>1</sup>, I write to offer our strong support for the Memorandum Opinion and Order ("MO&O") in the above captioned proceeding.<sup>2</sup> Additionally, we would urge the Commission to reject the petition by the Association of Global Automakers, Inc., and the Alliance of Automobile Manufacturers ("Automakers"). As ITI previously commented in this proceeding, we strongly support the work by the Federal Communications Commission ("FCC" or "Commission") to facilitate greater access to the 5 GHz band for Unlicensed National Information Infrastructure (U-NII) devices.<sup>3</sup>

Unlicensed, Wi-Fi technology has historically been integrated in products such as personal computers and printers, but products such as smart phones, tablets, smart TVs, and other consumer electronics are driving new, heavy growth. Growth in the Internet of Things ("IoT") will only increase demand for spectrum, both licensed and unlicensed, and maximizing efficient use of all available spectrum will be essential in meeting demand. Several market estimates predict global Wi-Fi chip shipments will grow from approximately 1.6 billion units in 2012 to approximately 3.5 billion units in 2017, and more than half of mobile data traffic could be offloaded via WiFi by next year as well. Additional unlicensed use in the 5 GHz band presents an opportunity to greatly increase consumer benefits from expanded Wi-Fi features including device-to-device connectivity, data transfer speeds more than five times greater than those available today, and more robust Wi-Fi networks.

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<sup>1</sup>For more information on ITI, including a list of its members, please visit <http://www.itic.org/about/member-companies>. ITI's member companies have diverse business interests and though its filing generally reflects the views of ITI's membership, any specific company's views may not align in part, or in whole, with a position that is reflective of the broader membership.

<sup>2</sup> *Revision of Part 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5GHz Band*, Memorandum Opinion and Order, 31 FCC Rcd 2317 (2016).

<sup>3</sup> See comments of ITI in this proceeding, May 28, 2013.



Spectrum sharing is already successfully occurring at 5 GHz. Wi-Fi devices successfully share the 5.25-5.35 and 5.470-5.725 GHz bands with the primary users of the spectrum, including a wide range of classified military radars operating on land, on board ships in coastal areas, on airplanes, and on spacecraft. The primary operating condition for Wi-Fi devices is that the operator must accept whatever interference is received and must correct whatever interference it causes. Should harmful interference occur, the operator is required to immediately correct the interference problem or cease operation.<sup>4</sup>

ITI believes that protection of the safety uses of this band must be protected. However, any concerns about safety resulting from interference should be grounded soundly in fact. As the Commission notes, "DSRC systems will receive greater interference protection under the emission mask adopted in this MO&O than was provided under the old rules" and that any additional protections from adjacent-band emissions are unnecessary.<sup>5</sup> We believe the testing process set forth by the Commission is appropriate to evaluate compatibility of sharing and safety uses of the 5.850-5.925 MHz band.<sup>6</sup>

The Commission addressed the Automakers concerns during the course of the proceeding and MO&O regarding potential interference into the 5850-5925 MHz band. Given the Commission has already addressed the issues they raised — initially in the First Report and Order and again in the MO&O, in accordance with Section 1.429(b) of the FCC's rules any new issues the petitioners now raise should have been presented in an earlier phase of this proceeding. Furthermore, the petitioners have not yet presented any new evidence of harmful interference in the petition, which must continue to be the baseline for any rulemaking reconsideration.

ITI strongly supports the Commission's efforts to make more spectrum available for licensed and unlicensed use. Similarly, ITI understands the important safety services this band will provide, and supports the FCC's plan to conduct real-world testing of sharing technologies to ensure that no harmful interference is created. As such, we strongly support the MO&O and urge the Commission to move forward in its work and urge the FCC to dismiss or deny the petition from the Automakers.

Respectfully,

J. Vince Jesaitis  
Vice President, Government Affairs  
ITI - Information Technology Industry Council

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<sup>4</sup> 47 C.F.R. §§ 15.5(b) and (c)

<sup>5</sup> MO&O ¶ 23

<sup>6</sup> The Commission Seeks to Update and Refresh the Record in the "Unlicensed National Information Infrastructure (U-NII) Devices in the 5 GHz Band" Proceeding, ET Docket No. 13-49; (Rel. 06/01/2016)